FILED
JUL 19 1986
JOSEPH F. SPANIOL, JR.
CLERK

No. 86-24

IN THE

Supreme Court of the United States

OCTOBER TERM, 1986

RICHARD L. NEAL,

Petitioner,

v.

COMMISSIONER OF INTERNAL REVENUE,

Respondent.

SUPPLEMENTAL APPENDIX TO PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

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ATTORNEYS FOR PETITIONER

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ATTORNEYS FOR PETITIONER

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* Tax Court Docket No. 2645-85
(CA 2 Docket No. 85-4147)

(TJM)

RECEIVED
MAR 2 1
Martin A. Schaubaum

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

At a stated Term of the United States Court of Appeals for the Second Circuit, held at the United States Courthouse in the City of New York, on the 17th day of March one thousand nine hundred and eighty-six.

P r e s e n t: HONORABLE WILLIAM H. TIMBERS,

HONORABLE THOMAS J. MESKILL,

Circuit Judges,

HONORABLE MORRIS E. LASKER,*

District Judge.

RICHARD L. NEAL,

Petitioner-Appellant,

v.

COMMISSIONER OF INTERNAL REVENUE,

Respondent-Appellee.

Docket No. 85-4147

UNITED STATES COURT OF APPEALS
FILED
MAR 17 1986
ELAINE B. GOLDSMITH, CLERK
SECOND CIRCUIT

This is an appeal from an order of the United States Tax Court, Dawson, J., dismissing for lack of jurisdiction a consolidated petition praying for a determination that no tax was due on certain investments and for attorney's fees.

This cause came on to be heard on the transcript of record from said Tax Court and was argued by counsel.

The judgment of the Tax Court is AFFIRMED.

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* Honorable Morris E. Lasker, United States District Judge for the Southern District of New York, sitting by designation.

We affirm substantially for the reasons spelled out in the Tax Court opinion by Judge Dawson dated June 17, 1985.

William H. Timbers, U.S.C.J.

Thomas J. Meskill, U.S.C.J.

Morris E. Lasker, U.S.D.J.

.3. Since this statement does not
onstitute a formal opinion of this
ourt and is not uniformly available
o all parties, it shall not be
eported, cited or otherwise used in
nrelated cases before this or any
ther court.

BEST

CERTIFICATE OF SERVICE

This is to certify that three (3) copies of: SUPPLEMENTAL APPENDIX TO PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT were served by mail, on ~~the 17th~~ Day of July, 1986, in an envelope with postage prepaid, to Counsel for Respondent-Appellee, as follows:

Michael L. Paup, Esq.
Richard Farber, Esq.
Gary D. Gray, Esq.
Tax Division
U.S. Department of Justice
Washington, DC 20530

and:

Solicitor General
U.S. Department of Justice
Washington, DC 20530

Kathleen A. Miller

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